

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 1202 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE N.J.PANDYA

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements?
  2. To be referred to the Reporter or not?
  3. Whether Their Lordships wish to see the fair copy of the judgement?
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge?

-----  
K V TRIVEDI

Versus

M/S. AMRUT ENGINEERING COMPANY

-----  
Appearance:

MR BB NAIK for Petitioner  
SERVED BY DS for Respondent No. 1  
MR KP RAVAL APP for Respondent No. 11  
-----

CORAM : MR.JUSTICE N.J.PANDYA

Date of decision: 16/10/97

ORAL JUDGEMENT

Two sets of matters have arisen in the form of criminal complaints against the respondents who are common accused in both the sets. They happened to have filed returns at Mehsana which were found to be false as per the case of the Income-tax Department. This was followed by another set of returns filed at Ahmedabad which were also found

to be false as per the case of Income-tax Department. Therefore, request made by the petitioner on behalf of the said department is that all the complaints be tried at Ahmedabad in Metropolitan Magistrate's Court.

Initially notice was issued and then Rule. In spite of service of both the notices at different stages and on different dates, the respondents/accused have not cared to remain present. It is, therefore, obvious that they are not opposing the request.

So far as the State is concerned, they have no objection at all. The application is, therefore, allowed. The case pending at Mehsana is ordered to be transferred to the Court of Metropolitan Magistrate, Ahmedabad.

Rule is made absolute accordingly.